

STATEMENT OF PURPOSE

RS20497

Current Idaho law requires that repeat DUI offenders must generally serve a license suspension of at least one year with absolutely no driving privileges. In 2009, The Legislature adopted SB 1153, which permitted judges to use their discretion to grant restricted driving privileges to repeat DUI offenders who are participants in good standing in drug courts or DUI courts. Such privileges may be granted only to those participants who have served at least 45 days of the driver's license suspension with no privileges whatever, have provided proof of liability insurance in the amount required by law, and whose vehicles are equipped with an ignition interlock system. The limited driving privileges may be used only for the purpose of getting to and from work, school or an alcohol treatment program. This bill would permit judges to use their discretion to grant restricted driving privileges, in the same situations and on the same terms, to participants in good standing in mental health courts and other similar problem solving courts utilizing community-based sentencing alternatives, including the Wood Pilot Project Court in Bonneville County. This would help participants in these court programs to commute to work, school, and treatment, and would provide an added incentive for them to comply with the conditions of the program. As in the case of participants in drug courts and DUI courts, it would increase the participants' chances for success and further the objectives of our problem-solving courts.

FISCAL NOTE

This bill would involve some limited cost for the revision of the forms used to provide information to persons who have been arrested for DUI and are being asked to submit to evidentiary testing for alcohol concentration. Funds for the ignition interlock devices would be drawn from the Court Interlock Device and Electronic Monitoring Device Fund which is created in each county by I.C. § 18-8010, and which is supported by a \$15.00 fee paid by each person found guilty of a DUI offense.

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